IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

WP(C).No. 2420 of 2007(K)

PETITIONER:

H.B. MOHAMMED RAJA, HELPER,
KERALA STATE BEVERAGES (MANUFACTURING
AND MARKETING) CORPORATION LTD.,
WARE HOUSE, ALAPPUZHA.

BY ADV. SRI.ELVIN PETER P.J.
SRI.T.NAVEEN
SRI.C.X.ANTONY BENEDICT
SMT.POOJA SURENDRAN
SRI.PRADEEP KRISHNA

RESPONDENTS:
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1. **KERALA STATE BEVERAGES (MANUFACTURING**
AND MARKETING) CORPORATION LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR
SASTHAMANGALAM, THIRUVANANTHAPURAM.

2. **STATE OF KERALA, REPRESENTED BY**
THE SECRETARY TO GOVERNMENT, TAXES DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.M.R.SREELATHA
BY ADV.SRI.K.P.DANDAPANI
SRI.MILLU DANDAPANI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.2420/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE EMPLOYEES PENSION SCHEME, 1995 ISSUED IN MARCH, 1996.

EXT.P2:- COPY OF THE ORDER G.O.(MS) NO.13/2002/TD. DT.18.2.02.

EXT.P3:- COPY OF THE ORDER G.O.(MS) NO.82/03/H.EDN. DT.20.6.03.

EXT.P4:- COPY OF THE REPRESENTATION DT.17.6.03 FILED BY THE GENERAL SECRETARY, KERALA STATE BEVERAGES CORPORATION STAFF ORGANISATION TO THE 1ST RESPONDENT.

EXT.P5:- COPY OF THE REPRESENTATION DT.6.11.03 FILED BY THE GENERAL SECRETARY KERALA STATE BEVERAGES CORPN. STAFF ORGANISATION TO THE HONOURABLE MINISTER FOR EXCISE.

EXT.P6:- COPY OF THE STATEMENT FILED BY THE 1ST RESPONDENT IN WP(C) NO.39147/03.

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 2420 OF 2007-K

JUDGMENT

The petitioner is an employee of the 1st respondent Kerala State Beverages Corporation. He was due to retire from service in March, 2007, on attaining the age of 55 years. He claims retention in service up to the age of 58. The Board of Directors of the Beverages Corporation as early as on 2.7.2005 decided to enhance the age of retirement of the employees of the Corporation to 58. But, the Government did not concur with the said decision. Hence this Writ Petition seeking appropriate reliefs.

2. The point raised by the petitioner is covered in his favour by the decision of this Court in W.P.(C) No.36864/2004 and connected cases dated 15.3.2007. Accordingly, the writ petition is disposed of, declaring that the decision in that judgment will govern this case also.

24th May, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/